

[Counsel Listed on Signature Pages]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

This Document Relates To:

ALL ACTIONS

Master File No. C-02-1486 CW (EDL)

**STIPULATION AND ~~PROPOSED~~
ORDER CLARIFYING DEADLINE FOR
MOTION TO COMPEL FACT
DISCOVERY**

1 WHEREAS, on May 18, 2006, the Court entered an Order establishing pretrial and
2 trial deadlines;

3 WHEREAS, the Order establishes a general fact discovery cutoff of September 29,
4 2006;

5 WHEREAS, the Order establishes a deposition deadline of December 1, 2006;

6 WHEREAS, the Order establishes an expert discovery cutoff of March 19, 2007;

7 WHEREAS, Local Rule 26-2 provides that where the "Court has set separate deadlines
8 for fact and expert discovery, no motions to compel fact discovery may be filed more than
9 7 court days after the fact discovery cut-off";

10 WHEREAS, Local Rule 26-2 provides that "discovery cut-off," as used in the Rule,
11 means "the date by which all responses to written discovery are due and by which all
12 depositions must be concluded";

13 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
14 record, that any motion to compel fact discovery must be filed by December 12, 2006.

15
16 Dated: October 5, 2006

MORRISON & FOERSTER LLP

17
18 By: /s/ Philip T. Besirof

19 Philip T. Besirof

20 Attorneys for Defendants
21 JDS Uniphase Corporation, Jozef
22 Straus, Anthony R. Muller, and Charles
23 J. Abbe
24
25
26
27
28

1 Dated: October 5, 2006

HELLER EHRMAN LLP

3 By: /s/ Howard S. Caro

Howard S. Caro

Attorneys for Defendant

Kevin Kalkhoven

6 Dated: October 5, 2006

LABATON SUCHAROW & RUDOFF LLP

BERMAN DEVALERIO PEASE TABACCO
BURT & PUCILLO

9 By: /s/ Anthony J. Harwood

Anthony J. Harwood

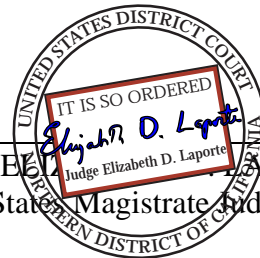
Liaison Counsel for Lead Plaintiff

Connecticut Retirement Plans and Trust
Funds

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16 Dated: October 6, 2006

18 HONORABLE ELIZABETH D. LAPORTE
United States Magistrate Judge



1 I, Philip T. Besirof, am the ECF User whose ID and password are being used to file
2 this Stipulation and [Proposed] Order Clarifying Deadline For Motion To Compel Fact
3 Discovery. In compliance with General Order 45, X.B., I hereby attest that Anthony J.
4 Harwood and Howard S. Caro have concurred in this filing.

5
6 Dated: October 5, 2006

MORRISON & FOERSTER LLP

7
8 By: /s/ Philip T. Besirof

9 Philip T. Besirof

10 Attorneys for Defendants
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